



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

Date

Mr. J. Darden Langston, Jr.
Safety and Environmental Director
Birdsong Peanut Company
PO Box 1400
Suffolk, Virginia 23434

Location: Suffolk
Registration No.: 60063
AFS Id. No.: 51-800-00010

Dear Mr. Langston:

Attached is a significant amendment to your state operating permit dated June 6, 2006 to modify and operate Birdsong Peanut Company in accordance with the provisions of the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. This amended permit supersedes your permit dated June 6, 2006.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

The Department of Environmental Quality (DEQ) deemed the application complete on December 14, 2012 and has determined that the application meets the requirements of 9 VAC 5-80-990 A for a significant amendment to a state operating permit. The Department solicited written public comments by placing a newspaper advertisement in the Tidewater News newspaper on Wednesday, January 16, 2013. The required comment period, provided by 9 VAC 5-80-1170 D, expired on Friday, February 15, 2013.

This permit approval to modify and operate shall not relieve Birdsong Peanut Company of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. 9 VAC 5-170-200 provides that you may request direct consideration of the decision by the Board if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
PO Box 1105
Richmond, VA 23218-1105

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit, please contact Nichelle McDaniel by phone at (757) 518-2171 or by e-mail at nichelle.mcdaniel@deq.virginia.gov.

Sincerely,

Troy D. Breathwaite
Regional Air Permits Manager

TDB/NDM/60063_004_13_SOPsigamend_BirdsongPeanutCompany.doc

Attachment: Permit

cc: Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III (electronic file submission)
Manager/Inspector, Air Compliance



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STATIONARY SOURCE PERMIT TO OPERATE

This permit supersedes your permit dated June 6, 2006.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution,

Birdsong Peanut Company
PO Box 1400
Suffolk, Virginia 23434
Registration No.: 60063
AFS Id. No.: 51-800-00010

is authorized to operate

a peanut processing facility

located at

311 Factory Street
Suffolk, Virginia 23434

in accordance with the Conditions of this permit.

Approved on **DRAFT**.

Maria R. Nold

Date

Signature Date

Permit consists of 6 pages.
Permit Conditions 1 to 21.

INTRODUCTION

1. This permit approval is based on the permit application dated April 30, 2002, and September 16, 2002, including amendment information dated June 10, 2002, June 15, 2003, March 2, 200, May 1, 2006, and October 18, 2012. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

PROCESS REQUIREMENTS

2. **Equipment List** - Equipment at this facility consists of the following:

Equipment to be Reactivated				
Reference No.	Equipment Description	Rated Capacity	Federal Requirements	
FB-4	Hull Grinding Hammermill & Pneumatic Conveyor with integrated fabric filter and induction fan	20,000 lbs/hr	n/a	

Equipment permitted prior to the date of this permit				
Reference No.	Equipment Description	Rated Capacity	Federal Requirements	Original Permit Date
PPF-1	Peanut Processing Plant (includes - trash fans, dust control fans, hull fan, vacuum boxes, conveyor fans, stoners, separators, aspirators, process, sorting and warehouse dust control fans)		n/a	June 6, 2006

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit.

(9 VAC 5-80-850)

3. **Emission Controls-Cyclones** - Particulate matter emissions from the trash fans, dust control fans, vacuum boxes, conveyor fans, stoners, separators and aspirators shall be controlled by cyclones (26 single cyclones).

The cyclones shall be provided with adequate access for inspection and shall be in operation when the peanut processing facility is operating. An annual visual internal inspection shall be conducted on each cyclone by the permittee to insure structural integrity. The permittee shall maintain records of the annual inspections, to include the name of the person performing the inspection, the date and time of the inspection, and the result of the inspection.

(9 VAC 5-80-850)

4. **Emission Controls-Fabric Filters** - Particulate matter emissions from the processing plant (PPF-1), sorting and warehouse dust control fans shall be controlled by four fabric filters (FB-1 to 3 in the main building, and FB-17 in the warehouse). Particulate matter from the hull grinding hammermill and pneumatic conveyor (FB-4) shall be controlled by a fabric filter. Each fabric filter shall be provided with adequate access for inspection, and shall be in operation when the associated facility is operating.
(9 VAC 5-50-20 E and 9 VAC 5-80-850)
5. **Monitoring Devices** - The three (3) fabric filters inside the main building, and the fabric filter for the hull grinding hammermill and pneumatic conveyor (FB-4), shall each be equipped with a device to continuously measure differential pressure drop across the fabric filter. Monitoring devices shall be installed and maintained in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. The monitoring devices shall be provided with adequate access for inspection and shall be in operation when the fabric filters are operating.
(9 VAC 5-50-20 E and 9 VAC 5-80-850)
6. **Monitoring Device Observation** – To ensure good performance, the monitoring device used to continuously measure the differential pressure drop for each fabric filter shall be observed by the permittee with a frequency of not less than once per operating week. The permittee shall keep a log of observations from the control monitoring device. The permittee shall keep records of the observations including, but not limited to date, time, observation, observer's name, the acceptable range and corrective action, including but not limited to a brief description and date of completion.
(9 VAC 5-80-1180 and 9 VAC 5-50-50 H)
7. **Visible Emission Observations** - The permittee shall check for visible emissions from each fabric filter exhaust during normal operation with a frequency of not less than once per operating week. The presence of visible emissions shall indicate the need for corrective action. The permittee shall keep records of the observations including, but not limited to date, time, observation, observer's name, the acceptable range and corrective action, including but not limited to a brief description and date of completion.
(9 VAC 5-80-1180 D)

OPERATING LIMITATIONS

8. **Throughput Limit** – Throughputs of the peanut processing facility shall not exceed 160,000 tons of raw unshelled peanuts processed per year, and 30,000 tons of peanut hulls ground in the the Hammermill FB-4 per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-850)

EMISSION LIMITS

9. **Plantwide Emission Limits** - Total emissions from the facility shall not exceed the limit specified below:

Particulate Matter/PM-10	89.8 tons/yr
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These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with this emissions limit may be determined as stated in condition numbers 3, 4, 8, and 12.

(9 VAC 5-80-850)

10. **Peanut Processing Facility Visible Emission Limit** - Visible emissions from the peanut processing facility shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60% opacity as determined by EPA Method 9 (reference 40 CFR Part 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-850 and 9 VAC 5-40-80)

11. **Hull Grinder FB-4 Visible Emission Limit** – Visible emissions from the fabric filter exhaust for the hull grinder FB-4 shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity as determined by EPA Method 9 (reference 40 CFR Part 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction

(9 VAC 5-80-850 and 9 VAC 5-40-80)

RECORDS

12. **On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. The annual amount of raw peanuts processed in tons, calculated monthly as the sum of each consecutive 12-month period;
- b. A weekly record of each differential pressure reading for each fabric filter required by condition 6;
- c. Weekly records for the fabric filter of visible emission observations required by condition 7; and
- d. Records of structural integrity checks required by condition 3.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-900)

13. **Test/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested.

(9 VAC 5-80-930)

GENERAL CONDITIONS

14. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
- c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
- d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130 and 9 VAC 5-80-850)

15. **Record of Malfunctions** – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(9 VAC 5-20-180 J and 9 VAC 5-80-850)

16. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Director, Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone, or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Director, Tidewater Regional Office in writing.
(9 VAC 5-20-180 C and 9 VAC 5-80-850)

17. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.
(9 VAC 5-20-180 I and 9 VAC 5-80-850)

18. **Maintenance/Operating Procedures** – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Maintain an inventory of spare parts.

- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-50-20 E and 9 VAC 5-80-850)

19. Permit Suspension/Revocation - This permit may be revoked if the permittee:

- a. Knowingly makes material misstatements in the permit application or any amendments to it;
- b. Fails to comply with the terms or conditions of this permit;
- c. Fails to comply with any emission standards applicable to a permitted emissions unit;
- d. Causes emissions from this facility which result in violations of, or interferes with the attainment and maintenance of, any ambient air quality standard;
- e. Fails to operate this facility in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time that an application for this permit is submitted;
- f. Fails to comply with the applicable provisions of Articles 6, 8 and 9 of 9 VAC 5 Chapter 80.

(9 VAC 5-80-1010)

20. Change of Ownership - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Director, Tidewater Regional Office of the change of ownership within 30 days of the transfer.

(9 VAC 5-80-940)

21. Permit Copy - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.

(9 VAC 5-80-860 D)

DRAFT PERMIT APPROVAL FORM

Department of Environmental Quality
Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, Virginia 23462

Instructions:

The "Draft Permit Approval Form" provides the owner or certified company official an opportunity to accept or suggest appropriate changes to a draft permit. If a signed form is not received within one (1) week of the date of receipt of the draft permit, DEQ will assume that the draft permit is considered acceptable and will proceed with processing the permit.

Please check the applicable statement(s) below after thoroughly reviewing the draft permit.
Scanned forms (with signatures) may be returned to nichelle.mcdaniel@deq.virginia.gov or troy.breathwaite@deq.virginia.gov.

If scanning is not available, please fax to 757-518-2009, Attention: Ms. Nichelle McDaniel or Mr. Troy D. Breathwaite.

_____ The owner or certified company official agrees with the conditions of the draft permit dated _____ . Please proceed to issue the permit with no change.

_____ The owner or certified company official finds condition number(s) _____ of the draft permit dated _____ unacceptable.

_____ The suggested changes are attached for your consideration.

_____ The owner or certified company official requests further discussion with DEQ regarding the above referenced condition(s).

Signature: _____

Name: _____

Title: _____

Facility: _____

Date: _____